

JOHN F. MAGNUSON

ATTORNEY AT LAW

ADMITTED IN IDAHO AND WASHINGTON

TELEPHONE

208•667•0100

FAX

208•667•0500

P.O. Box 2350

1250 NORTHWOOD CENTER COURT

SUITE A

COEUR D'ALENE

IDAHO 83816

June 12, 2009

Ms. Erika M. Zimmerman  
U.S. Department of Justice  
Environment and Natural Resources Division  
Environmental Enforcement Section  
P.O. Box 7611, Ben Franklin Station  
Washington, DC 20044-7611

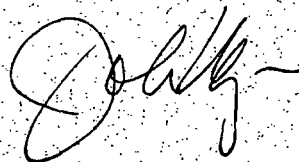
Re: Your Letter of June 2, 2009 to Nevada-Stewart Mining Company.

Dear Ms. Zimmerman:

This letter is in response to your June 2, 2009 letter to Nevada-Stewart Mining Company. You have correctly concluded that the Company has no current ability to pay. This is confirmed by the records which we have voluntarily supplied you in a cooperative manner over a period in excess of ten years. Upon receipt of a proposed draft consent decree, and subject to acceptable terms therein, I will recommend that the Company's Board accept the proposal and hopefully we can bring this matter to a mutually-acceptable and agreeable closure.

I look forward to hearing from you. Thank you.

Sincerely,



John F. Magnuson

JFM/js

cc: Client

ZIMMERMAN-NEVADA.LTR.wpd

USEPA SF



1355435